


PATENT

99RE067/ALBRP138US

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being faxed to 703-872-9306 on the date shown below to Mail Stop Duplicates, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: 6-21-05  
Christina M. PadamonskyRECEIVED  
CENTRAL FAX CENTER  
JUN 21 2005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Applicant(s): Frederick M. Discenzo

Examiner: Hwa S. Lee

Serial No: 09/406,368

Art Unit: 2877

Filing Date: September 28, 1999

Title: SYSTEM AND METHOD FOR OPTICAL VIBRATION SENSING

Mail Stop Duplicates  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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**REPLY TO NOTICE UNDER 37 CFR §1.251**

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Dear Sir:

In response to the Notice Under 37 CFR §1.251 dated May 16, 2005, applicant's representative does not possess any record of the correspondence between the Office and the applicant for the above-identified application submitted on October 20, 2004. Further to this, our records do not indicate any amendments or responses submitted on October 20, 2004.

## COMMISSIONER FOR PATENTS

Approved for use through 07/31/2006.OMB 0651-0031  
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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In re Application of: Discenzo, Frederick M.  
Application No.: 09406368  
Filing Date: 09/28/99  
Title: SYSTEM AND METHOD FOR OPTICAL VIBRATION SENSING

Direct to: U. S. Patent and Trademark Office  
Mail Stop: Duplicates  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**NOTICE UNDER 37 CFR 1.251 – Pending Application**

Statement (check the appropriate box):

☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☒ Applicant does not possess any record of the correspondence between the Office and the applicant for the above identified application.

6-21-05  
Date

[Signature]  
Signature

Himanshu S. Amin Req. No. 40,894  
Typed or printed name

**A Copy of this notice should be returned with the reply.**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

PTO Doc Code: R251.RES (Rev. 03/05)

09/406,368

99RE067/ALBRP138US

Applicant's representative did, however, submit an Appeal Brief on October 4, 2004, which was received by the USPTO on October 8, 2004.

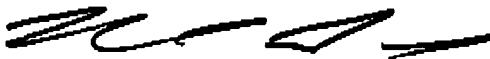
CONCLUSION

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [ALBRP138US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin

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